REMARKS

In response to an Office Action mailed on March 9, 2005, Applicant respectfully requests that the above-listed Amendments be entered and the Application be reconsidered. With entry of the above-listed Amendments, claims 1-11, 13-14 and 16-17 are amended; claims 12, 15 and 18-24 are canceled and claims 25-64 are new. Claims 1, 25 and 41 are independent, and the remaining claims are dependent.

The Examiner rejected claims 1-5 and 16-21 under 35 U.S.C. 103(a) as being obvious over US Pat. No. 5,859,419 to Wynn ("Wynn"). The Examiner rejected claim 6-7, 13-15 and 22-24 under 35 U.S.C. 103(a) as being obvious over Wynn in view of US Pat. App. Publication No. US 2001/0013551 to Ramachandran ("Ramachandran"). The Examiner rejected claims 8-9 under 35 U.S.C. 103(a) as being obvious over Wynn and Ramachandran in view of US Pat. No. 6,189,787 to Dorf ("Dorf"). The Examiner rejected claims 10-12 under 35 U.S.C. 103(a) as being obvious over Wynn in view of US Pat. No. 6,424,249 to Houvener ("Houvener").

Wynn discloses a multiple-company credit card system. Wynn's card includes a memory that can store transaction records. (Abstract.) Wynn's card can store information about the card holder, information about financial institutions and information about transactions. (Col. 4, line 55 to col. 5, line 5.) Wynn discloses selecting one of the financial accounts and making a credit card purchase with the card. (Col. 6, lines 12-16.) A card reader reads the card and communicates with a central data system 210 that is <u>associated with the chosen account.</u> (Col. 6, lines 17-32.)

In other words, once the user selects a credit card account, the card operates the same way a conventional credit card operates. That is, a terminal (such as a cash register with a card reader) communicates with the central data system 210 to verify credit capacity and to approve the transaction. This typically involves a server at a merchant's "acquiring bank," which, in turn, communicates with a server at the card issuing institution. If the transaction is approved, the credit approval is typically stored in the terminal. However, funds are <u>not</u> immediately withdrawn from the purchaser's account nor transferred to the merchant's account, although a "hold" may be placed on the credit card account for the amount of the transaction. If the credit transaction is approved, the

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terminal typically prints a "sales draft" for the purchaser to sign, thereby obligating the purchaser to reimburse the card issuing institution for the amount of the transaction.

Later, typically at the end of each business day, the merchant reviews the authorizations stored in the terminal as a batch and transmits information about the day's authorized credit transactions to the merchant's acquiring bank for deposit. The acquiring bank performs an "interchange" for each sales draft, i.e. the acquiring bank requests funds from the card issuing institution, and the acquiring bank deposits the funds (typically less a service fee) into the merchant's account. Thus, funds are "pulled" during the batch processing, from the credit card account, into the merchant's account.

Only during such batch processing of previously-conducted transactions are funds transferred to the merchant's account.

In contrast, the disclosed and claimed system sends ("pushes") funds from the account selected by the user to the merchant's (or other recipient's) account in real time or near-real time (i.e., in response to the transaction), without requiring an acquiring bank to request the funds. Thus, the funds become available to the recipient sooner. The disclosed system includes a network that routes the funds to the recipient's account in response to the transaction. Claim 1 has been amended to recite, "responsive to the transaction, transferring funds from the selected account to a second account without a request initiated on behalf of the second account to withdraw the funds from the selected account." (Emphasis added; not all added text is underlined.) New claims 25 and 41 contain similar recitations.

No art of record, either individually or in combination, is believed to disclose or suggest a system that transfers funds responsive to a transaction, without a request initiated on behalf of the second account to withdraw the funds. For at least this reason, claims 1, 25 and 41 are believed to be allowable. Claims 2-11, 13-14, 16-17, 26-40 and 42-64 depend directly or indirectly from claim 1, 25 or 41. These dependent claims are, therefore, believed to be allowable, for at least the reasons discussed above with respect to claims 1, 25 and 41.
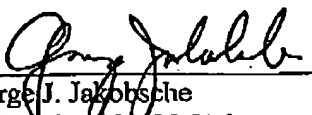
For all the foregoing reasons, it is respectfully submitted that the present Application is in a condition for allowance, and such action is earnestly solicited. The Examiner is encouraged to

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telephone the undersigned attorney to discuss any matter that would expedite allowance of the present Application.

Respectfully submitted,

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